

SUBPART B – RESPONSIBILITIES FOR SAFETY AND HEALTH PROGRAM
IMPLEMENTATION

ME420.12(a)(2)(e)

ME420.12(a)

(1) General

(a) The Maine legislature enacted a "Dig Safe" law which took effect January 1, 1993. The purpose of the law is to protect underground utilities from accidental damage and to protect construction personnel during excavations. The law imposes penalties on excavators who fail to follow the notice procedures and it imposes penalties on utilities who fail to mark their underground facilities after receiving notice. An excavator is defined as any person proposing to make, making or contracting for an excavation. A copy of the law is shown in the Exhibit 420.230.

(b) **Member utilities**, required to join the Dig Safe system, are those who furnish electricity, gas, oil, cable TV, telephone, or telegraph services by underground lines.

(c) **Non-member utilities**, not required to join the Dig Safe system, are water and sewer districts and utilities having fewer than 5 employees or fewer than 300 customers.

(2) Landowner/contractor responsibility.

For any excavation using power equipment or blasting, the landowner/contractor shall take the following actions:

(a) **Pre-mark the location of the work area** on the ground. Dig Safe recommends using white paint or tape for all premarking.

(b) **Notify Dig Safe member utilities by calling the Dig Safe system (1-800-225-4977)**. Tell the operator your name, nature of the work and where the work is located. Use telephone and power pole numbers to identify the location of work close to roads. The operator will give you a ticket number as proof of calling Dig Safe. **Notify non-member utilities in writing or in person.**

(c) **Wait 3 business days** before excavation starts. The notice is good for 30 calendar days.

(d) **A special notice is required for blasting**. Both Dig Safe members and non-members must receive written notice at least 24 hours in advance of blasting operations. The written notice may be sent by FAX.

(e) Maintain the utility location markers after the work has begun.

ME420-4(1)

(360-GM, Amend. ME-9a, May, 1993)

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ME420.12(2)(f)

(f) **If the required notice is not given to the utility and facilities are damaged, the landowner/contractor may be liable for a \$1,000 fine, actual damages to the underground facilities and any consequential or secondary damages.**

(3) Utility responsibility.

(a) **Utilities are required to mark their facilities within 2 business days.**

(b) If the utility fails to mark or improperly marks its facilities, then the utility may be liable for a \$1,000 fine, damages to its lines and damage to the contractor's equipment and workers.

(4) SCS responsibility.

SCS personnel are to take adequate precautions to protect utilities and construction personnel during site investigation and construction activities for work carried out under SCS programs.

If subsurface investigation or construction is proposed, the responsible SCS employee will take the following actions:

(a) **Inform landowners of their responsibilities to the Dig Safe Law.** See Section 2, Landowner/contractor responsibility. Landowners are to be informed that they will be liable for penalties and any damage to utilities resulting from disruption of service caused by construction activities. A stamp on the drawings or a letter to the landowner may be used for this purpose.

(b) **Assist the landowner with pre-marking the construction area.**

(c) **Indicate known utilities on construction drawings** with appropriate symbols and identification. Known utilities include both those above and below ground.

(d) **Landowners are to be informed that SCS makes no representation of the existence or nonexistence of any utilities.** Absence of utilities on the construction drawings is not assurance that no utilities are present at the site.

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(360-GM, Amend. ME-9a, May, 1993)

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(e) Ensure that the landowner/contractor responsibilities have been carried out before construction begins.

(5) Utility information.

The following list of water and sewer districts are non-member Dig Safe utilities:

Anson Water District	Tel. 635-2211
Augusta Water District	Tel. 622-3701
Bar Harbor Water Co.	Tel. 288-3555
Bath Water District	Tel. 443-2391
Belfast Water District	Tel. 388-1200
Bethel Water District	Tel. 824-2342
Biddeford & Saco Water Co.	Tel. 282-1543
Kennebec Water Power Co.	Tel. 695-2554
Bingham Water District	Tel. 672-3621
East Boothbay Water District	Tel. 633-2051
Boothbay Harbor Water District	Tel. 633-4723
Brewer Water District	Tel. 989-4214
Brunswick & Topsham Water District	Tel. 729-9956
Buckfield Village Corp.	Tel. 336-2526
Bucksport Water Co.	Tel. 469-3131
Canton Water District	Tel. 597-2201
Soft Water Service Co., Caribou	Tel. 492-6971
Castine Water District	Tel. 326-8540
Cornish Water Co.	Tel. 625-8642
Danforth Water District	Tel. 448-2995
Dexter Utility District	Tel. 924-3075
Dover-Foxcroft Water District	Tel. 564-2310
Eagle Lake Water & Sewer District	Tel. 444-5441
East Millinocket Water Works	Tel. 746-5776
Ellsworth Water Co.	Tel. 667-8632
Fort Fairfield Utilities District	Tel. 472-1391
Fort Kent Municipal Water System	Tel. 834-3003
Pelletier, Lois, Jr., Fort Kent	Tel. 834-5520
Fryeburg Water Co.	Tel. 935-2010
Gardiner Water District	Tel. 582-5500
Carrabassett Spring Water	Tel. 883-8728
Greenville Water Co.	Tel. 695-2912
Guilford-Sangerville Water District	Tel. 876-3066
Sangerville Water Co.	Tel. 876-3066
Halowell Water District	Tel. 623-9151
Carrabassett Spring Water Distributor	Tel. 862-5955

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Hartland Water Co.	Tel. 938-2628
Houlton Water Co.	Tel. 532-2259
Island Falls Water Co.	Tel. 463-2124
Jackman Water District	Tel. 668-3602
Kennebunk Kennebunkport & Wells Water	Tel. 985-3385
Kittery Water District	Tel. 439-1128
Androscoggin Reservoir Co.	Tel. 784-4501
Union Water Power Co.	Tel. 784-4501
Limestone Water & Sewer District	Tel. 325-4788
Lincoln Water District	Tel. 794-2921
Lisbon Water Works	Tel. 353-4491
Livermore Falls Water District	Tel. 897-3445
Lubec Water & Electric District	Tel. 733-5526
Machias Water Co.	Tel. 255-3011
Madawaska Water District	Tel. 728-3859
Madison Water District	Tel. 696-4221
Mechanic Falls Water Co.	Tel. 345-5351
Mexico Water District	Tel. 364-2061
Milbridge Water District	Tel. 546-2919
Millinocket Water Co.	Tel. 723-8731
Milo Water District	Tel. 943-8812
Northeast Harbor Water Co.	Tel. 276-3733
Seal Harbor Water Co.	Tel. 276-3632
North Berwick Water Co.	Tel. 676-3702
Norway Water District	Tel. 743-2414
Oakland Water Co.	Tel. 465-2565
Old Town Water District	Tel. 827-2145
Orono-Veazie Water District	Tel. 866-4449
Paris Utility District	Tel. 743-6251
Kezar Falls Div – ME Water Co.	Tel. 625-4844
Consumers Water Co., Portland	Tel. 773-6438
Portland Water District	Tel. 774-5961
Presque Isle Water Co.	Tel. 762-4101
Rangely Water Co.	Tel. 864-2204
Richmond Utility District	Tel. 737-4721
Camden & Rockland Water Co.	Tel. 594-8428
Rumford Water District	Tel. 364-8531
Sanford Water District	Tel. 324-2312
Searsport Water District	Tel. 548-2910
General Waterworks-Maine, Skowhegan	Tel. 474-8153
Skowhegan Water Co.	Tel. 474-2050
Jet-Line Services Inc., S. Portland	Tel. 799-0850
Southwest Harbor Water Co.	Tel. 244-3948
Van Buren Water District	Tel. 868-2285
Kennebec Water District, N. Vassalboro	Tel. 923-3202
Vinalhaven Water Co.	Tel. 863-4662
Waldoboro Water Co.	Tel. 832-4655

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Washburn Water Co.	Tel. 455-4010
Kennebec Water District	Tel. 872-2763
Winterport Water District	Tel. 233-5305
Winthrop Water District	Tel. 377-2712
Yarmouth Water District	Tel. 846-5821
York Water District	Tel. 363-2265